

Narrative

May 9, 2005

Board of Adjustment Variance
7447 E. Indian School Road Suite 105
Scottsdale, AZ 85251

RE: 8449 E. Dixileta Drive Property Setbacks & NAOS

To Whom It May Concern:

I purchased the above referenced property through the Phoenix Court System on June 18th, 2003 and took possession of it on July 16th, 2003. When buying this property, I presumed everything was properly accounted for, however, on March 15th, 2005 I was notified by the Planning Inspectors of certain violations. These violations were for both NAOS and Property Setbacks.

Although, I have since applied for relocation of NAOS with the proper maps & documentation, I would like to address with you the Setbacks issue on the Morning Vista property line.

Maintenance & Use

Morning Vista is not maintained by the Scottsdale Road Department at this time. I have performed all maintenance myself since my acquisition of the property. The only traffic on this road other than me is neighbor children for off-road vehicle use.

Further, the Residences on the north side of Morning Vista, including myself, all exit their properties on E. Dixileta Drive. The Residences on the south side of Morning Vista, exit their respective properties to the south on Via Dona. (Please see above referenced roads on the attached map).

Other Considerations

To my knowledge, there have been no complaints on setback issues regarding my property. To consider Morning Vista as my front yard line (60 ft. setback) would also require considerable expense in moving three covered structures.

Therefore, I would like the Morning Vista property line to be considered my backyard property line (20 foot setback) Not only is this a commonly issued setback for backyard, but the driveway entrance and subsequent City issued address are on E. Dixileta Drive.

If considering Morning Vista as my backyard property line is not feasible, I would respectfully request a variance for the existing structures and setback.

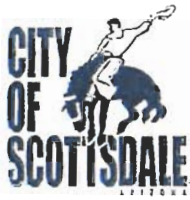
Thank you for your consideration on this matter.

Sincerely,



Anthony LaMalfa

11-BA-2005
9/22/2005



ZONING ORDINANCE VARIANCE

Application Submittal Requirements

Justification for Variance

The Board of Adjustment may not authorize a zoning ordinance variance unless ALL of the following criteria are met. Use the space provided to present your evidence that the requested variance complies; you may attach a separate sheet if you need more room.

1. Special circumstances/conditions exist which do not apply to other properties in the district:

PURCHASED SUBJECT PROP IN JUNE 18TH 2003. PURCHASED THROUGH THE PRIORITY COURT SYSTEM. CURBING AND FENCE WERE THERE WITHIN PROVIDED. BARRS WERE THERE ALSO. I WAS NOT INFORMED OF SET BACK VIOLATIONS UNTIL MARCH 15 2005. ALL NOIS VIOLATIONS HAVE BEEN CORRECTED.

2. Authorizing the variance is necessary for the preservation and enjoyment of substantial property rights:

IF I HAVE TO MOVE BACK 60' ON MORNING VIEW, IT WOULD IMPACT THE HOME FACILITY A GREAT DEAL. IT WOULD ALSO COST A GREAT DEAL OF MONEY. IT WOULD ELIMINATE ALL THE COURTS ON THE SOUTH SIDE OF HOME FACILITY PERS ALL THE COURTS - PART OF THE HOME BARR.

3. Special circumstances were not created by the owner or applicant:

SAME AS # 1
PROPERTY IS PRETTY MUCH THE WAY I PURCHASED IT IN 2003

4. Authorizing the application will not be materially detrimental to persons residing or working in the vicinity, to the adjacent property, to the neighborhood, or to the public welfare in general:

ITS FOR AS I KNOW, THIS FACILITY WAS BUILT IN 96-97 AND, NOT HARMED OR BEEN DETRIMENTAL TO ANY PERSONS THAT I KNOW OF.

11-BA-2005
9/22/2005

Planning and Development Services Department

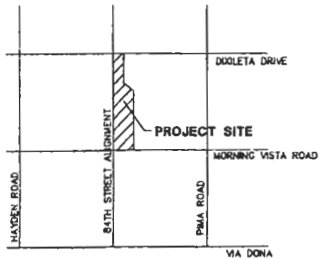
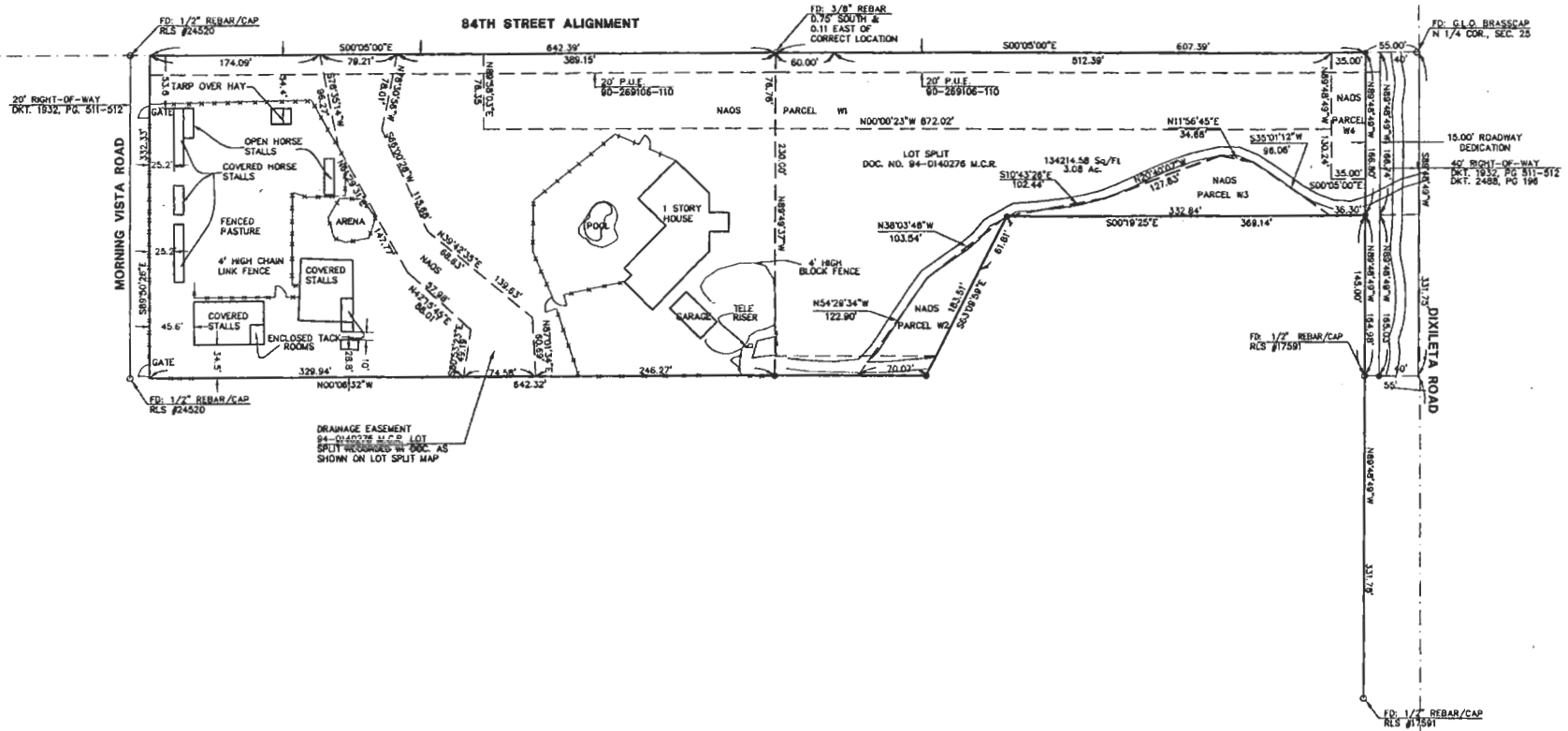
7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088

LAMALFA LOT

8449 E. DIXILETA ROAD

SITE PLAN

A PORTION OF THE NORTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF
THE NW 1/4 OF THE NE 1/4 OF SECTION 25, T. 5 N., R. 4 E. OF THE
G. & S. R. B. & M., MARICOPA COUNTY, ARIZONA



VICINITY MAP
N. T. S.

SITE DATA

LAMALFA LOT
TOTAL AREA OF SITE IS 8.04 ACRES
NA.O.S. % REQUIRED IS 25% OR 2.01 ACRES

PROPERTY OWNERS

ANTHONY LAMALFA
P.O. BOX 25908
SCOTTSDALE, AZ 85255
PHONE: 480-251-3337



SCALE: 1" = 60'

LEGEND

- SET 1/2" REBAR/CAP
R.L.S. #10280

11-BA-2005
6/22/2005

LAMALFA LOT

Anderson - Nelson, Inc.
Engineering - Surveying - Site Grading Plans - Subdivision Development - Hydrology
Construction Management - Computer Services

4143 N. 12th St., Suite 200
Phoenix, Arizona 85016
(602) 273-1850
FAX: (602) 701-4477

REVISIONS		DATE	BY
DESIGNED	SED		
DRAWN	SED		
APPROVED	DMA		
DATE	DATE	1/22/02	

SHEET	
1	OF 1
FILE NO. 77452	
DATE 7/2/05	